

US20020115

**REMARKS**

Claims 1-20 were pending in this application. Claims 1-5, 9-11, 13 and 15-17 stand rejected. Claims 6-8, 12, 14 and 18-20 are objected to. Claims 9, 15 and 16 have been canceled and claims 10, 13, 14 and 17-20 have been amended. Applicants appreciate the Examiner's notation that claims 6-8, 12, 14 and 18-20 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants believe the amendments made herein add no new matter. Reconsideration and reexamination of the application is respectfully requested in view of the amendments and the following remarks.

**Rejection under 35 U.S.C. §102(b)**

Claims 1-5, 9, 10, 15 and 17 stand rejected under 35 U.S.C. §102(b) as being anticipated by Needles, U.S. Patent No. 2,716,512. This rejection is respectfully traversed.

Claims 9 and 15 have been canceled. The limitations included in original claims 9 and 15 are now included in independent claims 10 and 17. Therefore, Applicants will respond to this 35 U.S.C. §102(b) rejection with reference to independent claims 1, 10 and 17.

Independent claims 1, 10, and 17, as included and amended herein, clearly define and claim, among other elements, "first and second main arms extending from the attachment member and each forming an adjustment element." Furthermore, each of these independent claims further includes a limitation that "wherein each adjustable arm includes a locator element engageable with a respective adjustment element." Additionally, independent claim 17 includes a limitation that "first and second adjustable arms each movably and pivotally connected with one respective main arm."

US20020115

Needles discloses an adjustable coat or garment hanger adapted to properly fit apparel of different shoulder widths. The hanger includes a pair of oppositely sloping fixed arms 6 and extension arms 9 slidable under the channel member 7 and on top of the fixed arm 6. Furthermore, a longitudinal row of notches 12 is included on the underside of the extension arm 9 in which a slidable locking pin 13 is selectively engaged, the locking pin 13 located in fixed arm 6 and slidable vertically within that arm. In other words, Needles discloses and claims an adjustable coat or garment hanger having two fixed arms containing a locking pin to engage the notches located on the two extension arms so that the hanger can be adjusted to properly fit different shoulder widths.

"To anticipate, every element and limitation of the claimed invention must be found in a single prior art reference, arranged as in the claim." *Brown v. 3M*, 265 F.2d 1349, 1351 (Fed. Cir. 2001); *In re Robertson*, 169 F.3d 743 (Fed. Cir. 1999). Applicants cannot find any teaching or suggestion in Needles of an adjustment element located on the main arms, a locator element located on the adjustable arms or a adjustable arm pivotally connected to a main arm as is claimed in independent claims 1, 10 and 17 in this application.

Because Needles does not contain "every element and limitation of the claimed invention," *Brown, supra*, the Examiner's §102 rejections of Claims 1, 10 and 17 should be withdrawn. Additionally, since claims 2-5 depend from and include the same distinctive features of one of claims 1, 10 or 17, the rejection of these claims should also be withdrawn.

Claims 9, 13, 15 and 16 stand rejected under 35 U.S.C. §102(b) as being anticipated by Hansen, U.S. Patent No. 2,724,533. This rejection is respectfully traversed.

US20020115

Claims 9, 15 and 16 have been canceled. The limitations included in original claim 9 are now included in independent claim 10. Therefore, Applicants will respond to this 35 U.S.C. §102(b) rejection with reference to independent claim 10.

Hansen discloses a garment hanger that is adjustable as to size and collapsible so that it may be folded into compact and convenient form for storage and similar purposes. The hanger includes a central sheath 6 connected to main hanger arms 20 and 22 and extensible and retractable extension arms 24 and 25. The main hanger arms 20 and 22 contain a centrally disposed slot 28 with retaining teeth 30 along one edge thereof. The retractable extension arms 24 and 25 contains cross-pins 31 and 32, pin 31 allowing the extension arm to slide and pivot with respect to the main hanger arm and pin 32 adapted to engage the retaining teeth 30 located on the main hanger arms.

Independent claim 10, as included and amended herein, clearly defines and claims, among other elements, "first and second cover arms each connected with a respective adjustable arm and a respective main arm." Applicants can find no teaching or suggestion in Hansen of cover arms in addition to the main arms and adjustable arms as is claimed and defined in this application.

Because Hansen does not contain "every element and limitation of the claimed invention," *Brown, supra*, the Examiner's §102 rejections of currently amended Claim 10 should be withdrawn.

### CONCLUSION

For the reasons discussed above, Applicants believe that claims 1-8, 10-14, and 17-20 are in condition for immediate allowance. It is respectfully submitted that all of the pending claims in the application are allowable over the prior art of record. Early notification of allowability is respectfully requested.


US20020115


If there are any questions regarding this matter, please contact the undersigned attorney.

Respectfully submitted,

Dated: December 31, 2004

WHIRLPOOL PATENTS COMPANY  
500 Renaissance Drive - Ste. 102 MD750  
St. Joseph, Michigan 49085

  
John F. Colligan, Registration No. 48,240  
Telephone: (269) 923-5470

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))	
I hereby certify that this correspondence is, on the date shown below, being:	
<input type="checkbox"/> deposited with the United States Postal Service with sufficient postage as first class mail; in an envelope addressed to the Commissioner for Patents, Alexandria, VA, 22313-1450.	<input checked="" type="checkbox"/> transmitted by facsimile to the Patent and Trademark Office, to Examiner James G. Smith, c/o Central Facsimile Number 703-872-9306.
Date: <u>December 31, 2004</u>	 Signature <u>Barbara L. Katowich</u> (type or print name of person certifying)